

Entered -02-07-00 - sb
CL 00L0058 - GWENDOLYN BURNS

CLAIM OF:

FRANKIE WILSON
through his attorney,
Richard M. Thane, Esq.
2171 Old Concord Road
Smyrna, Georgia 30080

01-*L*-1208

For bodily injuries alleged to have been sustained from an automobile accident on November 2, 1999 at 1257 Moreland Avenue, SE.

THIS ADVERSED REPORT IS
APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL AUG 06 2001

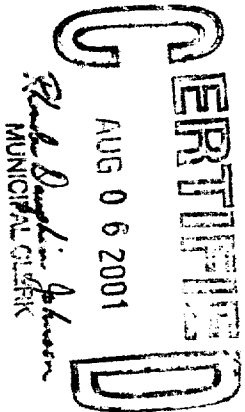
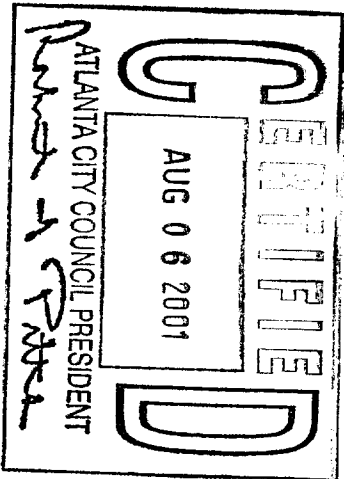
ADVERSE REPORT

COMM. PS+LA

DATE: 7/31/01

CHAIR: C.T. Marshall

Michael S. ...
Gay ...
Berry ...
Wol ...
Clara ...





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

August 14, 2001

Richard M. Thane
Attorney at Law
2171 Old Concord Rd.
Smurna, Georgia 30080

01-R-1208

RE: Frankie Wilson

Dear Attorney Thane:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0058

Date: July 11, 2000

Claimant /Victim FRANKIE WILSON
BY: (Atty) (Ins. Co.) Richard M. Thane, Attorney at Law
Address: 2171 Old Concord Road, Smyrna, Georgia 30080
Subrogation: Claim for Property damage \$ Bodily Injury \$ unspecified
Date of Notice: 2/7/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/2/99 Place: 1257 Moreland Avenue, SE
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Leon Manigault Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained bodily injuries when the vehicle in which he travelled in was struck by a city vehicle that was "following too closely". However, the claimant was initially but is no longer represented by counsel and has failed to pursue his claim.

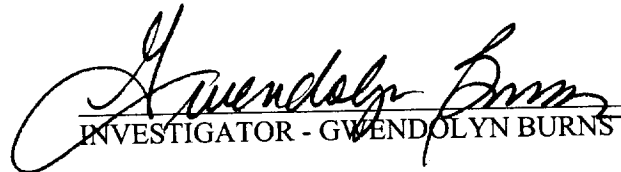
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 07-17-01
Committee Action: Council Action

RCS# 3033
8/06/01
2:56 PM

Atlanta City Council

Regular Session

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Unanimous

CONSENT

Pages 1-15

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1106
01-R-1200
01-R-1217

CONSENT

| | | | 08/06/01 Council Meeting |
|--|--|---|---|
| ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADVERSESED ON CONSENT AGENDA | ITEMS ADVERSESED ON CONSENT AGENDA |
| 1. 01-O-1081 | 29. 01-R-1141 | 48. 01-R-1041 | 76. 01-R-1209 |
| 2. 01-O-1083 | 30. 01-R-1142 | 49. 01-R-1042 | 77. 01-R-1210 |
| 3. 01-O-1084 | 31. 01-R-1143 | 50. 01-R-1043 | 78. 01-R-1211 |
| 4. 01-O-1085 | 32. 01-R-1144 | 51. 01-R-1149 | 79. 01-R-1212 |
| 5. 01-O-1123 | 33. 01-R-1145 | 52. 01-R-1151 | 80. 01-R-1213 |
| 6. 01-O-1126 | 34. 01-R-1146 | 53. 01-R-1152 | |
| 7. 01-O-1105 | 35. 01-R-1147 | 54. 01-R-1153 | |
| 8. 01-O-1120 | 36. 01-R-1148 | 55. 01-R-1154 | |
| 9. 01-R-1130 | 37. 01-R-1189 | 56. 01-R-1155 | |
| 10. 01-R-1131 | 38. 01-R-1190 | 57. 01-R-1156 | |
| 11. 01-R-1132 | 39. 01-R-1191 | 58. 01-R-1157 | |
| 12. 01-R-1187 | 40. 01-R-1192 | 59. 01-R-1158 | |
| 13. 01-R-1188 | 41. 01-R-1193 | 60. 01-R-1159 | |
| 14. 01-R-1224 | 42. 01-R-1194 | 61. 01-R-1160 | |
| 15. 01-R-1227 | 43. 01-R-1195 | 62. 01-R-1161 | |
| 16. 01-R-1228 | 44. 01-R-1196 | 63. 01-R-1162 | |
| 17. 01-R-0103 | 45. 01-R-1197 | 64. 01-R-1163 | |
| 18. 01-R-1226 | 46. 01-R-1198 | 65. 01-R-1164 | |
| 19. 01-R-0971 | 47. 01-R-1199 | 66. 01-R-1165 | |
| 20. 01-R-1167 | | 67. 01-R-1166 | |
| 21. 01-R-1168 | | 68. 01-R-1201 | |
| 22. 01-R-1215 | | 69. 01-R-1202 | |
| 23. 01-R-1218 | | 70. 01-R-1203 | |
| 24. 01-R-1136 | | 71. 01-R-1204 | |
| 25. 01-R-1137 | | 72. 01-R-1205 | |
| 26. 01-R-1138 | | 73. 01-R-1206 | |
| 27. 01-R-1139 | | 74. 01-R-1207 | |
| 28. 01-R-1140 | | 75. 01-R-1208 | |